

House of Representatives, March 12, 1998. The Committee on Labor and Public Employees reported through REP. DONOVAN, 84th DIST., Chairman of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING MENTAL STRESS OF POLICE OFFICERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Subdivision (16) of section 31-275 of the  
2 general statutes, as amended by section 1 of  
3 public act 97-205, is repealed and the following  
4 is substituted in lieu thereof:

5 (16) (A) "Personal injury" or "injury"  
6 includes, in addition to accidental injury which  
7 may be definitely located as to the time when and  
8 the place where the accident occurred, an injury  
9 to an employee which is causally connected with  
10 his employment and is the direct result of  
11 repetitive trauma or repetitive acts incident to  
12 such employment, and occupational disease.

13 (B) "Personal injury" or "injury" shall not  
14 be construed to include:

15 (i) An injury to an employee which results  
16 from his voluntary participation in any activity  
17 the major purpose of which is social or  
18 recreational, including, but not limited to,  
19 athletic events, parties and picnics, whether or  
20 not the employer pays some or all of the cost of  
21 such activity;

22 (ii) A mental or emotional impairment, unless  
23 such impairment arises from a physical injury or  
24 occupational disease OR IN THE CASE OF A POLICE  
25 OFFICER, UNLESS SUCH IMPAIRMENT ARISES FROM THE  
26 OFFICER'S USE OF DEADLY FORCE OR SUBJECTION TO  
27 DEADLY FORCE IN THE COURSE OF HIS EMPLOYMENT  
28 REGARDLESS OF WHETHER THE OFFICER IS PHYSICALLY  
29 INJURED; OR

30 (iii) A mental or emotional impairment which  
31 results from a personnel action, including, but  
32 not limited to, a transfer, promotion, demotion or  
33 termination. [; or]

34 [(iv)] (C) Notwithstanding the provisions of  
35 [clause (i) of this] subparagraph (B) (i),  
36 "personal injury" or "injury" includes injuries to  
37 employees of local or regional boards of education  
38 resulting from participation in a school-sponsored  
39 activity but does not include any injury incurred  
40 while going to or from such activity. As used in  
41 this clause, "school-sponsored activity" means any  
42 activity sponsored, recognized or authorized by a  
43 board of education and includes activities  
44 conducted on or off school property and  
45 "participation" means acting as a chaperone,  
46 advisor, supervisor or instructor at the request  
47 of an administrator with supervisory authority  
48 over the employee.

49 (D) AS USED IN SUBPARAGRAPH (B) (ii), "POLICE  
50 OFFICER" MEANS A MEMBER OF THE DIVISION OF STATE  
51 POLICE WITHIN THE DEPARTMENT OF PUBLIC SAFETY OR  
52 AN ORGANIZED LOCAL POLICE DEPARTMENT.

53 LAB COMMITTEE VOTE: YEA 10 NAY 0 JFS

\* \* \* \* \*

"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

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**FISCAL IMPACT STATEMENT - BILL NUMBER SHB 5077**

STATE IMPACT	Potential Significant Cost (General Fund) and Minimal Cost, Can Be Absorbed (Workers' Compensation Fund), see explanation below
MUNICIPAL IMPACT	Potential Significant Cost, see explanation below
STATE AGENCY(S)	Department of Public Safety, Workers' Compensation Commission

**EXPLANATION OF ESTIMATES:**

STATE AND MUNICIPAL IMPACT: The passage of this bill would result in additional costs to the Department of Public Safety and to municipalities with organized police departments that could be significant. The bill allows State Police and members of organized local police departments to collect workers' compensation benefits for mental or emotional injuries resulting from the officer's use of, or subjection to, deadly force in the course of employment.

The number of such cases cannot be determined at this time. The cost of just one case that results in a permanent disability could be significant. While there are only a small number of fatal shootings each year involving police officers, the bill does not require that a death occur.

According to State Police Uniform Crime Reports, from 1993 through 1996, no police officers were killed by a felony act. 410 police officers were injured in assaults each year over this time. About 15% of the

assaults involved the use of a weapon. Police in Connecticut killed an average of 3 persons each year. The average number of homicides was 180 per year over this time.

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### **OLR BILL ANALYSIS**

SHB 5077

#### **AN ACT CONCERNING MENTAL STRESS OF POLICE OFFICERS**

**SUMMARY:** This bill allows state and local police officers to collect workers' compensation benefits for lost wages and medical treatment of purely mental or emotional injuries stemming from the officer's use of, or subjection to, deadly force in the course of employment. Under current law, workers are barred from claiming workers' compensation for mental and emotional injuries that do not arise out of a physical injury or an occupational disease.

EFFECTIVE DATE: October 1, 1998

#### **COMMITTEE ACTION**

Labor and Public Employees Committee

Joint Favorable Substitute  
Yea 10      Nay 0